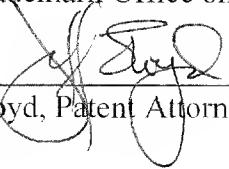


I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on May 28, 2009.


Jeff Lloyd, Patent Attorney, Reg. No. 35,589

ELECTION UNDER 35 U.S.C. § 121
Examining Group 1617
Patent Application
Docket No. BB.153
Serial No. 10/550,774

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Deirdre Renee Claytor
Art Unit : 1617
Applicants : Michael Sych, Andreas Goppelt
Serial No. : 10/550,774
Filed : September 27, 2005
Conf. No. : 1798
For : Use of a Topical Medicament Comprising Riluzole

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ELECTION UNDER 35 U.S.C. § 121

Sir:

In response to the written Restriction Requirement dated May 6, 2009 in the patent application identified above, Applicants hereby elect to prosecute the invention of Group I (claims 1-8, 21, and 23). Applicants respectfully traverse the requirement to elect a species within this group. Claim 1 is generic, the species being linked by the general inventive concept that Riluzole can inhibit hyperproliferation of keratinocytes and/or T-cells, which is the sole effect specified in claim 1. As such, unity of invention is met. As an intermediate position, Applicants would elect inhibiting hyperproliferation of keratinocytes, with claims 1-8, 21, and 23 reading on the elected species. Reconsideration is respectfully requested.

In view of their traversal, Applicants elect psoriasis as the disease species; claims 1-8, 21, and 23 reading on the elected species.

Respectfully submitted,



Jeff Lloyd
Patent Attorney
Registration No. 35,589
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: P.O. Box 142950
Gainesville, FL 32614-2950

JL/mlh